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February 6, 2013

Christopher J. Morse
 Senior Campaign Finance Analyst
 Reports Analysis Division
 Federal Election Commission
 999 E Street, NW
 Washington, DC 20463

Re: Requests for Additional Information for October Monthly Report
 NEA Fund for Children & Public Education, ID# C00003251

Dear Mr. Morse:

In a letter dated January 15, 2013, you requested additional information to clarify the timeliness of The NEA Fund for Children and Public Education's (FCPE) 48 hour report filed on October 1, 2012. This letter is intended to respond to that request.

As your letter notes, for the period up to and including the 20th day before an election, a 48-hour report must be made for independent expenditures aggregating \$10,000 or more with respect to a given election. More specifically, such a report must be made by 11:59 p.m. Eastern Standard/Daylight Time on the second day following the date on which a communication that constitutes an independent expenditure is publicly distributed or otherwise publicly disseminated. 11 C.F.R. § 104.4(b)(2).

The 48-hour report at issue was filed on October 1, 2012 to disclose an independent expenditure in the form of cable television advertisements and paid web advertisements in support of House candidate Judy Biggert (IL-11). That report mistakenly lists September 28, 2012 as the date of the expenditure that would trigger the reporting period under 11 C.F.R. § 104.4(b)(2). In reality, September 28 was the date on which FCPE paid the production and distribution costs for the communications, but it was not the date on which the communications were publicly distributed or otherwise publicly disseminated. Id. Instead, the communications were publicly distributed or otherwise publicly disseminated on October 1, the first date on which the television ads were aired on cable and on which the web ads appeared on the internet.

FCPE's 48-hour report filed on October 1 was therefore timely. See generally 11 C.F.R. § 100.29(b)(2); Explanation and Justification for Final Rules on Bipartisan Campaign Reform Act of 2002 Reporting, 68 Fed. Reg. 404, 407 (Jan. 3, 2003). But, because that report incorrectly lists the date of the independent expenditure as September 28, 2012, FCPE is amending its October Monthly and Pre-General reports to correct the date of the independent expenditure to October 1, 2012.

If you have any additional questions or concerns, please feel free to contact us at (202) 822-7035.

Sincerely,

Jason Walta
 Nicholas Mueller*
 Legal Counsel for The NEA Fund for Children and Public Education

cc: Michael McPherson, Treasurer, NEA Fund for Children and Public Education

* Law Fellow. Admitted only in Virginia; practice limited to matters before federal agencies and providing advice as internal counsel.

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